

House File 248 - Introduced

HOUSE FILE 248

BY HEDDENS and HEATON

A BILL FOR

1 An Act concerning community mental health centers.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

COMMUNITY MENTAL HEALTH CENTERS — CATCHMENT AREAS

Section 1. NEW SECTION. 230A.101 **Services system roles.**

1. The role of the department of human services, through the division of the department designated as the state mental health authority with responsibility for state policy concerning mental health and disability services, is to develop and maintain policies for the mental health and disability services system. The policies shall address the service needs of individuals of all ages with disabilities in this state, regardless of the individuals' places of residence or economic circumstances, and shall be consistent with the requirements of chapter 225C and other applicable law.

2. The role of community mental health centers in the mental health and disability services system is to provide an organized set of services in order to adequately meet the mental health needs of this state's citizens based on organized catchment areas.

Sec. 2. NEW SECTION. 230A.102 **Definitions.**

As used in this chapter, unless the context otherwise requires:

1. "Administrator", "commission", "department", "disability services", and "division" mean the same as defined in section 225C.2.

2. "Catchment area" means a community mental health center catchment area identified in accordance with this chapter.

3. "Community mental health center" or "center" means a community mental health center designated in accordance with this chapter.

Sec. 3. NEW SECTION. 230A.103 **Designation of community mental health centers.**

1. The division, subject to agreement by the boards of supervisors of the affected counties and any community mental health center that would provide services for the catchment area, shall designate at least one community mental health

1 center under this chapter to serve the mental health needs of
2 the county or counties comprising the catchment area. The
3 designation process shall provide for the input of potential
4 service providers regarding designation of the initial
5 catchment area or a change in the designation.

6 2. The division shall utilize objective criteria for
7 designating a community mental health center to serve a
8 catchment area and for withdrawing such designation. The
9 commission shall adopt rules outlining the criteria. The
10 criteria shall include but are not limited to provisions for
11 meeting all of the following requirements:

12 a. An appropriate means shall be used for determining which
13 prospective designee is best able to serve all ages of the
14 targeted population within the catchment area with minimal or
15 no service denials.

16 b. An effective means shall be used for determining the
17 relative ability of a prospective designee to appropriately
18 provide mental health services and other support to consumers
19 residing within a catchment area as well as consumers residing
20 outside the catchment area. The criteria shall address the
21 duty for a prospective designee to arrange placements outside
22 the catchment area when such placements best meet consumer
23 needs and to provide services within the catchment area to
24 consumers who reside outside the catchment area when the
25 services are necessary and appropriate.

26 3. The board of directors for a designated community mental
27 center shall enter into an agreement with the division and
28 the counties affiliated with the catchment area served by
29 the center, as applicable. The terms of the agreement shall
30 include but are not limited to all of the following:

31 a. The period of time the agreement will be in force.

32 b. The services and other support the center will offer or
33 provide for the residents of the catchment area.

34 c. The standards to be followed by the center in determining
35 whether and to what extent the persons seeking services from

1 the center shall be considered to be able to pay the costs of
2 the services.

3 *d.* The policies regarding availability of the services
4 offered by the center to the residents of the catchment area as
5 well as consumers residing outside the catchment area.

6 *e.* The requirements for preparation and submission to the
7 division of annual audits, cost reports, program reports,
8 performance measures, and other financial and service
9 accountability information.

10 4. This section does not limit the authority of the board
11 or boards of supervisors of any county or group of counties to
12 continue to expend money to support operation of a center.

13 **Sec. 4. NEW SECTION. 230A.104 Catchment areas.**

14 1. The division shall collaborate with affected counties in
15 identifying community mental health center catchment areas in
16 accordance with the requirements of this section.

17 2. The division shall implement objective criteria for
18 identifying or revising catchment areas which shall be
19 identified in rule adopted by the commission. The criteria
20 shall provide for dividing the state into catchment areas
21 based upon consideration of city and county lines, population
22 sufficiency, geographic spread and population density, and
23 service provider viability, capacity, and availability. In
24 addition, the criteria shall include but are not limited to
25 provisions for meeting all of the following requirements:

26 *a.* Unless the division has determined that exceptional
27 circumstances exist, a catchment area shall be served by one
28 community mental health center. The purpose of this general
29 limitation is to clearly designate the center responsible and
30 accountable for providing core mental health services to the
31 target population in the catchment area and to protect the
32 financial viability of the centers comprising the mental health
33 services system in the state.

34 *b.* A formal review process shall be used in determining
35 whether exceptional circumstances exist that justify

1 designating more than one center to serve a catchment area.
2 The criteria for the review process shall include but are not
3 limited to a means of determining whether the catchment area
4 can support more than one center.

5 *c.* Criteria shall be provided that would allow the
6 designation of more than one center for all or a portion of a
7 catchment area if designation or approval for more than one
8 center was provided by both the division and the affected
9 counties as of October 1, 2010. The criteria shall require a
10 determination that all such centers would be financially viable
11 if designation is provided for all.

12 *d.* A period of time for counties to self-select the
13 initial catchment area affiliation in accordance with
14 identified criteria. In addition, the division shall identify
15 requirements for a county to change the county's catchment area
16 affiliation or to contract for certain services with a center
17 from a different catchment area or with an individual provider.

18 *e.* All counties in the state shall be part of a catchment
19 area. The identification criteria shall provide a means of
20 determining that each catchment area can financially support at
21 least one center.

22 **Sec. 5. NEW SECTION. 230A.105 Target population —**
23 **eligibility.**

24 1. The target population residing in a catchment area to be
25 served by a community mental health center shall include but is
26 not limited to all of the following:

27 *a.* Individuals of any age who are experiencing a mental
28 health crisis.

29 *b.* Individuals of any age who have a mental health disorder.

30 *c.* Adults who have a serious mental illness or chronic
31 mental illness.

32 *d.* Children and youth who are experiencing a serious
33 emotional disturbance.

34 *e.* Individuals described in paragraph "a", "b", "c",
35 or "d" who have a co-occurring disorder, including but not

1 limited to substance abuse, mental retardation, a developmental
2 disability, brain injury, autism spectrum disorder, or another
3 disability or special health care need.

4 2. Specific eligibility criteria for members of the target
5 population shall be identified in administrative rules adopted
6 by the commission. The eligibility criteria shall address both
7 clinical and financial eligibility.

8 Sec. 6. NEW SECTION. 230A.106 **Services offered.**

9 1. A community mental health center designated in
10 accordance with this chapter shall offer core services and
11 support addressing the basic mental health and safety needs of
12 the target population and other residents of the catchment area
13 served by the center and may offer other services and support.
14 The core services shall be identified in administrative rules
15 adopted by the commission for this purpose.

16 2. The initial core services identified shall include all
17 of the following:

18 a. Outpatient services. Outpatient services shall consist
19 of evaluation and treatment services provided on an ambulatory
20 basis for the target population. Outpatient services include
21 psychiatric evaluations, medication management, and individual,
22 family, and group therapy. In addition, outpatient services
23 shall include specialized outpatient services directed to
24 the following segments of the target population: children,
25 elderly, individuals who have serious and persistent mental
26 illness, and residents of the service area who have been
27 discharged from inpatient treatment at a mental health
28 facility. Outpatient services shall provide elements of
29 diagnosis, treatment, and appropriate follow-up. The provision
30 of only screening and referral services does not constitute
31 outpatient services.

32 b. Twenty-four-hour emergency services. Twenty-four-hour
33 emergency services shall be provided through a system that
34 provides access to a clinician and appropriate disposition with
35 follow-up documentation of the emergency service provided.

1 A patient shall have access to evaluation and stabilization
2 services after normal business hours. The range of emergency
3 services that shall be available to a patient may include but
4 are not limited to direct contact with a clinician, medication
5 evaluation, and hospitalization. The emergency services may
6 be provided directly by the center or in collaboration or
7 affiliation with other appropriately accredited providers.

8 *c.* Day treatment, partial hospitalization, or psychosocial
9 rehabilitation services. Such services shall be provided as
10 structured day programs in segments of less than twenty-four
11 hours using a multidisciplinary team approach to develop
12 treatment plans that vary in intensity of services and the
13 frequency and duration of services based on the needs of the
14 patient. These services may be provided directly by the center
15 or in collaboration or affiliation with other appropriately
16 accredited providers.

17 *d.* Admission screening for voluntary patients. Admission
18 screening services shall be available for patients considered
19 for voluntary admission to a state mental health institute to
20 determine the patient's appropriateness for admission.

21 *e.* Community support services. Community support services
22 shall consist of support and treatment services focused
23 on enhancing independent functioning and assisting persons
24 in the target population who have a serious and persistent
25 mental illness to live and work in their community setting, by
26 reducing or managing mental illness symptoms and the associated
27 functional disabilities that negatively impact such persons'
28 community integration and stability.

29 *f.* Consultation services. Consultation services may
30 include provision of professional assistance and information
31 about mental health and mental illness to individuals, service
32 providers, or groups to increase such persons' effectiveness
33 in carrying out their responsibilities for providing services.
34 Consultations may be case-specific or program-specific.

35 *g.* Education services. Education services may include

1 information and referral services regarding available
2 resources and information and training concerning mental
3 health, mental illness, availability of services and other
4 support, the promotion of mental health, and the prevention
5 of mental illness. Education services may be made available
6 to individuals, groups, organizations, and the community in
7 general.

8 3. A community mental health center shall be responsible
9 for coordinating with associated services provided by other
10 unaffiliated agencies to members of the target population in
11 the catchment area and to integrate services in the community
12 with services provided to the target population in residential
13 or inpatient settings.

14 Sec. 7. NEW SECTION. 230A.107 **Form of organization.**

15 1. Except as authorized in subsection 2, a community mental
16 health center designated in accordance with this chapter shall
17 be organized and administered as a nonprofit corporation.

18 2. A for-profit corporation, nonprofit corporation, or
19 county hospital providing mental health services to county
20 residents pursuant to a waiver approved under section 225C.7,
21 subsection 3, Code 2011, as of October 1, 2010, may also be
22 designated as a community mental health center.

23 Sec. 8. NEW SECTION. 230A.108 **Administrative, diagnostic,
24 and demographic information.**

25 Release of administrative and diagnostic information, as
26 defined in section 228.1, and demographic information necessary
27 for aggregated reporting to meet the data requirements
28 established by the division, relating to an individual who
29 receives services from a community mental health center through
30 the applicable central point of coordination process, may be
31 made a condition of support of that center by any county in the
32 center's catchment area.

33 Sec. 9. NEW SECTION. 230A.109 **Funding — legislative
34 intent.**

35 1. It is the intent of the general assembly that public

1 funding for community mental health centers designated in
2 accordance with this chapter shall continue to be provided as a
3 combination of federal, state, and county funding. The funding
4 sources may include but are not limited to federal supplemental
5 security income, block grants and other grants, and medical
6 assistance program funding, state allowed growth and property
7 tax relief funding, and county property tax funding.

8 2. It is the intent of the general assembly that the shared
9 state and county funding provided to centers be a sufficient
10 amount for the core services and support addressing the
11 basic mental health and safety needs of the residents of the
12 catchment area served by each center to be provided regardless
13 of individual ability to pay for the services and support.

14 3. While a community mental health center must comply with
15 the core services requirements and other standards associated
16 with designation, provision of services is subject to the
17 availability of a payment source for the services.

18 Sec. 10. NEW SECTION. **230A.110 Standards.**

19 1. The division shall recommend and the commission shall
20 adopt standards for designated community mental health centers
21 and comprehensive community mental health programs, with
22 the overall objective of ensuring that each center and each
23 affiliate providing services under contract with a center
24 furnishes high-quality mental health services within a
25 framework of accountability to the community it serves. The
26 standards adopted shall be in substantial conformity with
27 the applicable behavioral health standards adopted by the
28 joint commission, formerly known as the joint commission
29 on accreditation of health care organizations, and other
30 recognized national standards for evaluation of psychiatric
31 facilities unless in the judgment of the division, with
32 approval of the commission, there are sound reasons for
33 departing from the standards.

34 2. When recommending standards under this section, the
35 division shall designate an advisory committee representing

1 boards of directors and professional staff of designated
2 community mental health centers to assist in the formulation
3 or revision of standards. The membership of the advisory
4 committee shall include representatives of professional and
5 nonprofessional staff, at least one representative of county
6 boards of supervisors and central point of coordination
7 administrators, and other appropriate individuals.

8 3. The standards recommended under this section shall
9 include requirements that each community mental health center
10 designated under this chapter do all of the following:

11 a. Maintain and make available to the public a written
12 statement of the services the center offers to residents of
13 the catchment area being served. The center shall employ or
14 contract for services with affiliates to employ staff who are
15 appropriately credentialed or meet other qualifications in
16 order to provide services.

17 b. If organized as a nonprofit corporation, be governed by
18 a board of directors which adequately represents interested
19 professions, consumers of the center's services, socioeconomic,
20 cultural, and age groups, and various geographical areas in
21 the catchment area served by the center. If organized as a
22 for-profit corporation, the corporation's policy structure
23 shall incorporate such representation.

24 c. Arrange for the financial condition and transactions of
25 the community mental health center to be audited once each year
26 by the auditor of state. However, in lieu of an audit by state
27 accountants, the local governing body of a community mental
28 health center organized under this chapter may contract with
29 or employ certified public accountants to conduct the audit,
30 pursuant to the applicable terms and conditions prescribed by
31 sections 11.6 and 11.19 and audit format prescribed by the
32 auditor of state. Copies of each audit shall be furnished by
33 the accountant to the administrator of the division of mental
34 health and disability services and the board or boards of
35 supervisors supporting the audited community mental health

1 center.

2 *d.* Comply with the accreditation standards applicable to the
3 center.

4 Sec. 11. NEW SECTION. 230A.111 **Review and evaluation.**

5 1. The review and evaluation of designated centers shall
6 be performed through a formal accreditation review process as
7 recommended by the division and approved by the commission.

8 The accreditation process shall include all of the following:

9 *a.* Specific time intervals for full accreditation reviews
10 based upon levels of accreditation.

11 *b.* Use of random or complaint-specific, on-site limited
12 accreditation reviews in the interim between full accreditation
13 reviews, as a quality review approach. The results of such
14 reviews shall be presented to the commission.

15 *c.* Use of center accreditation self-assessment tools to
16 gather data regarding quality of care and outcomes, whether
17 used during full or limited reviews or at other times.

18 2. The accreditation process shall include but is not
19 limited to addressing all of the following:

20 *a.* Measures to address centers that do not meet standards,
21 including authority to revoke accreditation.

22 *b.* Measures to address noncompliant centers that do not
23 develop a corrective action plan or fail to implement steps
24 included in a corrective action plan accepted by the division.

25 *c.* Measures to appropriately recognize centers that
26 successfully complete a corrective action plan.

27 *d.* Criteria to determine when a center's accreditation
28 should be denied, revoked, suspended, or made provisional.

29 Sec. 12. **IMPLEMENTATION.**

30 1. Community mental health centers operating under
31 the provisions of chapter 230A, Code 2011, and associated
32 standards, rules, and other requirements as of June 30, 2011,
33 may continue to operate under such requirements until the
34 department of human services, division of mental health and
35 disability services, and the mental health and disability

1 services commission have completed the rules adoption process
2 to implement the amendments to chapter 230A enacted by this
3 Act, identified catchment areas, and completed designations of
4 centers.

5 2. The division and the commission shall complete the rules
6 adoption process and other requirements addressed in subsection
7 1 on or before June 30, 2012.

8 Sec. 13. REPEAL. Sections 230A.1 through 230A.18, Code
9 2011, are repealed.

10 DIVISION II

11 CONFORMING AMENDMENTS

12 Sec. 14. Section 135.80, subsection 3, Code 2011, is amended
13 to read as follows:

14 3. The program shall provide stipends to support
15 psychiatrist positions with an emphasis on securing and
16 retaining medical directors at community mental health centers,
17 ~~providers of mental health services to county residents~~
18 ~~pursuant to a waiver approved under section 225C.7, subsection~~
19 ~~3,~~ and hospital psychiatric units that are located in mental
20 health professional shortage areas.

21 Sec. 15. Section 225C.4, subsection 1, paragraph o, Code
22 2011, is amended to read as follows:

23 o. Recommend to the commission minimum accreditation
24 standards for the maintenance and operation of community
25 mental health centers, services, and programs designated under
26 ~~section 230A.16~~ chapter 230A. The administrator's review
27 and evaluation of the centers, services, and programs for
28 compliance with the adopted standards shall be as provided in
29 ~~section 230A.17~~ chapter 230A.

30 Sec. 16. Section 225C.6, subsection 1, paragraph c, Code
31 2011, is amended to read as follows:

32 c. Adopt standards for community mental health centers,
33 services, and programs as recommended ~~under section 230A.16~~ by
34 the administrator. The administrator shall determine whether
35 to grant, deny, or revoke the accreditation of the centers,

1 services, and programs.

2 Sec. 17. Section 225C.7, subsection 3, Code 2011, is amended
3 to read as follows:

4 ~~3. If a county has not established or is not affiliated~~
5 ~~with a community mental health center under chapter 230A,~~
6 ~~the county shall expend a portion of the money received~~
7 ~~under this appropriation to contract with a community mental~~
8 ~~health center to provide mental health services to the~~
9 ~~county's residents. If such a contractual relationship~~
10 ~~is unworkable or undesirable, the commission may waive the~~
11 ~~expenditure requirement. However, if the commission waives the~~
12 ~~requirement, the commission shall address the specific concerns~~
13 ~~of the county and shall attempt to facilitate the provision~~
14 ~~of mental health services to the county's residents through~~
15 ~~an affiliation agreement or other means. A county must be~~
16 affiliated with the community mental health center designated
17 in accordance with chapter 230A in order to receive moneys from
18 the fund.

19 Sec. 18. Section 225C.15, Code 2011, is amended to read as
20 follows:

21 **225C.15 County implementation of evaluations.**

22 The board of supervisors of a county shall, ~~no later~~
23 ~~than July 1, 1982,~~ require that the preadmission diagnostic
24 evaluation policy stated in section 225C.14 be followed with
25 respect to admission of persons from that county to a state
26 mental health institute. A community mental health center
27 ~~which is supported, directly or in affiliation with other~~
28 ~~counties, by that county~~ designated for the county's catchment
29 area may perform the preliminary diagnostic evaluations for
30 that county, unless the performance of the evaluations is
31 not covered by the agreement entered into by the county and
32 the center ~~under section 230A.12,~~ and the center's director
33 certifies to the board of supervisors that the center does not
34 have the capacity to perform the evaluations, in which case
35 the board of supervisors shall proceed with an alternative

1 diagnostic facility as provided under section 225C.17.

2 Sec. 19. Section 225C.19, subsection 3, paragraph a, Code
3 2011, is amended to read as follows:

4 a. Standards for accrediting or approving emergency mental
5 health crisis services providers. Such providers may include
6 but are not limited to a community mental health center, a
7 ~~provider approved in a waiver adopted by the commission to~~
8 ~~provide services to a county in lieu of a community mental~~
9 ~~health center,~~ a unit of the department or other state agency,
10 a county, or any other public or private provider who meets the
11 accreditation or approval standards for an emergency mental
12 health crisis services provider.

13 Sec. 20. Section 225C.54, subsection 1, Code 2011, is
14 amended to read as follows:

15 1. The mental health services system for children and youth
16 shall be initially implemented by the division commencing with
17 the fiscal year beginning July 1, 2008. The division shall
18 begin implementation by utilizing a competitive bidding process
19 to allocate state block grants to develop services through
20 ~~existing community mental health centers, providers approved~~
21 ~~in a waiver adopted by the commission to provide services to a~~
22 ~~county in lieu of a community mental health center, designated~~
23 in accordance with chapter 230A and other local service
24 partners. The implementation shall be limited to the extent of
25 the appropriations provided for the children's system.

26 Sec. 21. Section 228.6, subsection 1, Code 2011, is amended
27 to read as follows:

28 1. A mental health professional or an employee of or
29 agent for a mental health facility may disclose mental health
30 information if and to the extent necessary, to meet the
31 requirements of section 229.24, 229.25, 230.20, 230.21, 230.25,
32 230.26, ~~230A.13~~ 230A.108, 232.74, or 232.147, or to meet the
33 compulsory reporting or disclosure requirements of other state
34 or federal law relating to the protection of human health and
35 safety.

1 Sec. 22. Section 232.78, subsection 5, unnumbered paragraph
2 1, Code 2011, is amended to read as follows:

3 The juvenile court, before or after the filing of a petition
4 under this chapter, may enter an ex parte order authorizing
5 a physician or hospital to conduct an outpatient physical
6 examination or authorizing a physician, a psychologist
7 certified under section 154B.7, or a community mental health
8 center ~~accredited pursuant to~~ designated under chapter 230A
9 to conduct an outpatient mental examination of a child if
10 necessary to identify the nature, extent, and cause of injuries
11 to the child as required by section 232.71B, provided all of
12 the following apply:

13 Sec. 23. Section 232.83, subsection 2, unnumbered paragraph
14 1, Code 2011, is amended to read as follows:

15 Anyone authorized to conduct a preliminary investigation
16 in response to a complaint may apply for, or the court on its
17 own motion may enter an ex parte order authorizing a physician
18 or hospital to conduct an outpatient physical examination or
19 authorizing a physician, a psychologist certified under section
20 154B.7, or a community mental health center ~~accredited pursuant~~
21 ~~to~~ designated under chapter 230A to conduct an outpatient
22 mental examination of a child if necessary to identify the
23 nature, extent, and causes of any injuries, emotional damage,
24 or other such needs of a child as specified in section 232.2,
25 subsection 6, paragraph "c", "e", or "f", provided that all of
26 the following apply:

27 Sec. 24. Section 235A.15, subsection 2, paragraph c,
28 subparagraph (6), Code 2011, is amended to read as follows:

29 (6) To an administrator of a community mental health center
30 ~~accredited under~~ designated in accordance with chapter 230A if
31 the data concerns a person employed or being considered for
32 employment by the center.

33 Sec. 25. Section 331.321, subsection 1, paragraph e, Code
34 2011, is amended by striking the paragraph.

35 Sec. 26. Section 331.382, subsection 1, paragraph f, Code

1 2011, is amended by striking the paragraph.

2 EXPLANATION

3 This bill relates to the requirements of community mental
4 health centers under Code chapter 230A. The bill is organized
5 into divisions.

6 CODE CHAPTER 230A AMENDMENTS. This division repeals and
7 replaces Code chapter 230A which was originally enacted by 1974
8 Iowa Acts, chapter 1160.

9 The bill maintains the requirements under current law
10 for accreditation of community mental health centers to be
11 performed by the department of human services (DHS), division
12 of mental health and disability services, in accordance
13 with standards adopted by the mental health and disability
14 services commission. 2008 Iowa Acts, chapter 1187, required
15 the division to utilize an advisory group to develop a
16 proposal for revising Code chapter 230A and for revising the
17 accreditation process for centers. Until the proposal has been
18 considered and acted upon by the general assembly, the division
19 administrator is authorized to defer consideration of requests
20 for accreditation of a new community mental health center or
21 for approval of a provider to fill the role of a center. The
22 proposal was submitted to the governor and general assembly
23 April 17, 2009. The bill provides for implementation of the
24 proposal.

25 The current Code chapter provides for community mental
26 health centers to either be directly established by a county
27 or counties and administered by a board of trustees or by
28 establishment of a nonprofit corporation operating on the basis
29 of an agreement with a county or counties. Code section 225C.7
30 allows the department of human services to authorize the center
31 services to be provided by an alternative provider.

32 The bill replaces this approach by requiring the division
33 and commission to consult with affected counties in identifying
34 catchment areas of counties to be served by a center. The
35 general requirement is for one center to be designated to

1 serve a catchment area but more than one can be designated if
2 exceptional circumstances outlined in the bill are determined
3 to exist.

4 New Code section 230A.101 describes the regulatory and
5 policy role to be filled by the department and the service
6 provider role of the community mental health centers.

7 New Code section 230A.102 provides definitions. These
8 terms, defined in Code chapter 225C, are adopted by reference:
9 "administrator" (administrator of MH and disability services
10 division), "commission" (mental health and disability services
11 commission), "department" (DHS), "disability services"
12 (services and other support available to a person with mental
13 illness, MR or other developmental disability or brain injury),
14 and "division" (MH and disability services division). In
15 addition, the terms "community mental health center" and
16 "catchment area" are defined to reflect the contents of the
17 bill.

18 New Code section 230A.103 provides criteria to be
19 implemented by the division for designation of at least one
20 community mental health center to serve a catchment area
21 consisting of a county or counties. Various operating and
22 services requirements are to be addressed in the terms of an
23 agreement between the designated center, the division, and the
24 counties comprising the catchment area.

25 New Code section 230A.104 provides for the division to
26 implement objective criteria for identifying catchment areas
27 for centers. A general limitation of one center per catchment
28 area is stated, however, the criteria are to include a formal
29 review process for use in determining whether exceptional
30 circumstances exist for designating more than one center
31 for a catchment area. The other stated criteria involve
32 determinations of financial viability for a center to operate.

33 New Code section 230A.105 lists the attributes of the
34 target population required to be served by a center. The
35 list includes individuals of any age experiencing a mental

1 health crisis or disorder, adults who have a serious or chronic
2 mental illness, children and youth experiencing a serious
3 emotional disturbance, and listed individuals who also have a
4 co-occurring disorder. The specific clinical and financial
5 eligibility criteria are required to be identified in rules
6 adopted by the commission.

7 New Code section 230A.106 requires each designated center
8 to offer core services and support addressing the basic mental
9 health and safety needs of the target population and other
10 residents of the catchment area. The core services are to be
11 identified in rules adopted by the commission.

12 An initial list of core services is specified to include the
13 following: outpatient services; 24-hour emergency services;
14 day treatment, partial hospitalization, or psychological
15 rehabilitation services; admission screening for voluntary
16 patients; community support services; consultation services;
17 and education services.

18 In addition, a center is responsible for coordinating
19 associated services provided by other unaffiliated agencies to
20 members of the target population and for integrating services
21 provided to the target population in residential or inpatient
22 settings.

23 New Code section 230A.107 requires a designated center to be
24 organized as a nonprofit corporation. However, a for-profit
25 corporation, nonprofit corporation, or county hospital
26 providing services under a waiver approved as of October 1,
27 2010, may also be designated.

28 New Code section 230A.108 requires release of
29 administrative, diagnostic, and demographic information as a
30 condition of support by any of the counties in the catchment
31 area served by a center. Language with a similar requirement
32 is part of current law in Code section 230A.13, relating to
33 annual budgets of centers.

34 New Code section 230A.109 states legislative intent
35 regarding continuation of the current combination of federal,

1 state, and county funding supporting centers and for the amount
2 of funding to be sufficient for core services to be provided
3 regardless of an individual's ability to pay for the services.
4 This section also states that provision of services is subject
5 to the availability of payment sources for the services.

6 New Code section 230A.110 provides for accreditation
7 standards for centers to be recommended by the division
8 and adopted by the commission. The standards are to be in
9 substantial conformity with certain national standards. The
10 division is directed to use an advisory committee to assist in
11 standards development. In addition, the standards recommended
12 are required to include various organizational requirements.

13 New Code section 230A.111 addresses how the review and
14 evaluation components of the accreditation process are to be
15 performed.

16 An implementation section authorizes centers operating under
17 current law as of June 30, 2011, to continue operating until
18 the rules are adopted, catchment areas are identified, and
19 centers are designated, as required by the bill. The division
20 and commission are required to complete those requirements on
21 or before June 30, 2012.

22 CONFORMING AMENDMENTS. This division amends internal
23 references and provides other conforming amendments in the
24 following Code provisions: Code section 135.80, relating to
25 the mental health professional shortage area program; Code
26 section 225C.4, relating to the duties of the MH and disability
27 services administrator; Code section 225C.6, relating to
28 the duties of the commission, Code section 225C.7, relating
29 to the requirements for the MH/DD community services fund;
30 Code section 225C.15, relating to county implementation
31 of evaluations relating to admissions of persons from the
32 counties to a state mental health institute; Code section
33 225C.19, relating to implementation of an emergency mental
34 health services system; Code section 225C.54, relating to
35 implementation of a mental health services system for children

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1 and youth; Code section 228.6, relating to disclosure of
2 confidential mental health information; Code section 232.78,
3 relating to temporary custody of a child pursuant to an ex
4 parte court order; Code section 232.83, relating to child
5 sexual abuse involving a person not responsible for the care
6 of a child; Code section 331.321, by striking the requirement
7 for county appointments to an initial community mental health
8 center board of trustees; and Code section 331.382, by striking
9 the authority of a county board of supervisors to establish a
10 community mental health center.